

REMARKS

Applicants have amended claims 1, 2 and 6, canceled claims 3-5, and presented new claims 7-16. Claim 2 has been amended to correct a punctuation error. Support for amended claim 1 and new claims 7-16 can be found in the specification at the following locations:

Claim 1, [0010], lines 9-11

Claim 7, [0012], lines 2-6

Claim 8, [0015], lines 1-3

Claim 9, [0015], lines 4-10

Claim 10, [0016], lines 1-5

Claim 11, [0014], lines 1-2

Claim 12, [0020], lines 4-16

Claim 13, [0022], line 1

Claim 14, [0022], line 2

Claim 15, [0024], lines 3-4

Claim 16, [0024], line 4

Claims 5 and 6 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim may not depend from another, multiple dependent claim. Applicants have canceled claim 5, without prejudice, and amended claim 6 to depend from claim 1.

Claims 1 and 2 are objected to because the Markush groups in these claims omit the language “the group consisting of.” The objection to claims 1 and 2 is respectfully traversed because the claim language “selected from A, B, and C” is proper. Support for this claim language can be found in several places, for example, Appendix AI (PCT) of the M.P.E.P (specifically, Example 20, p. AI-62 of the August 2001 edition) and Training Materials For examining Patent Applications with Respect to 35 U.S.C. 112, First Paragraph-Enablement of Chemical/ Biochemical Applications, released August, 1996 (specifically Examples H and J). These examples make it clear that the phrase “X selected from A, B, and C” is proper claim

language.

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 5,589,280 A in view of US 5,137,791 A or US 2003/0085474 A1 for the reasons of record. Claims 3 and 4 have been canceled, without prejudice. Claim 1 has been amended to recite a method of metallizing a silicone rubber substrate wherein the silicone rubber substrate has a coefficient of linear thermal expansion of at least $2 \times 10^{-4} \text{ }^{\circ}\text{C}^{-1}$. Claim 2 depends from claim 1 and incorporates this limitation by reference.

The '280 patent teaches a metal-on-plastic material comprising a plastic substrate made of an *organic polymer* (see col. 4, lines 51-67). The '474 patent teaches a method of attaching semiconductor device on a switching device. The semiconductor device has flexible contact elements that are basic bodies of silicone with a metallized crest (see [0066] and [0071]). Finally, the '791 patent teaches a flexible metal film laminate comprising a film formed from a wide variety of thermosetting polymers, including silicone resins (see col. 6, lines 48-68). The rejection of claims 1 and 2 is overcome because the references, taken alone or in combination, do not teach or suggest the *silicone rubber* substrate of amended claim 1.

As pointed out in the present application, Applicant's method solves an important problem in the art: crack formation in a ductile metal layer of a metallized silicone rubber substrate (see [0002]). Even if the art had suggested Applicant's method, there is no reasonable expectation that a process employing an adhesion-promoting layer made specifically of *aluminum* and a *silicone rubber* substrate having a coefficient of linear thermal expansion of at least $2 \times 10^{-4} \text{ }^{\circ}\text{C}^{-1}$ would successfully produce a metallized silicone rubber article containing a layer of a ductile metal having *reduced cracking* compared to a similar method employing a conventional layer, such as chromium, nickel, platinum, palladium, or titanium (see [0006]).

Claims 1-4 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-9 of copending Application 10/573,622. The provisional rejection of claim 1 is overcome because Applicant's have filed herewith a terminal disclaimer.

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Respectfully Submitted,

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